

THIRTY-FIRST DAY

MONDAY, MARCH 10, 1997

PROCEEDINGS

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Galloway, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Ogden, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire, Zaffirini.

The President announced that a quorum of the Senate was present.

The Reverend David A. Thorp, Pastor, Emanuel Lutheran Church, Dallas, offered the invocation as follows:

O eternal God, it would be easier for us to pray if we were clear, of a single mind, and a pure heart, if we could be done hiding from ourselves, and from You, even in our prayers. But we are who we are, a mixture of motives, priorities, and excuses, blur of memories, quiver of hopes, knot of fear, tangle of confusion, and restless with love as we long for love and acceptance.

As we seek to serve You and our constituencies this day, in this Senate, we wander in the wilderness of our lives, somewhere between gratitude and grievance, wonder and routine, high resolve and undone dreams, generous impulses and the fear of debts.

In this day come and find us, Lord. Help us to accept who we are, so that we can begin to become Yours, Lord. This day make us humble enough to overcome our pretensions with one another; young enough to question and simple enough to laugh; old enough not to forget; brave enough to act for the poor, the immigrant, and the disenfranchised of our society; foolish enough to act for peace; caring enough to nurture ourselves, our neighbors, our environment, and all for whom we are representative of.

Make us this day skeptical, skeptical enough to doubt the sufficiency of anything but You, God of all creation. This day call us out of the tomb of our timidity into the wonderful glory of our possibilities. We celebrate that You, in all of our diversity, have made us one people, one community, one state, one nation, one world. This day bless the leadership of this state. Call us this day into the power of Your loving presence. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of Thursday, March 6, 1997, was dispensed with and the Journal was approved.

CO-AUTHORS OF SENATE BILL 34

On motion of Senator Zaffirini and by unanimous consent, Senators Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, and Whitmire will be shown as Co-authors of **SB 34**.

CO-AUTHOR OF SENATE BILL 163

On motion of Senator Zaffirini and by unanimous consent, Senator Carona will be shown as Co-author of **SB 163**.

CO-AUTHOR OF SENATE BILL 226

On motion of Senator Madla and by unanimous consent, Senator Wentworth will be shown as Co-author of **SB 226**.

CO-AUTHOR OF SENATE BILL 227

On motion of Senator Madla and by unanimous consent, Senator Wentworth will be shown as Co-author of **SB 227**.

CO-AUTHOR OF SENATE BILL 384

On motion of Senator Nelson and by unanimous consent, Senator Brown will be shown as Co-author of **SB 384**.

CO-AUTHOR OF SENATE BILL 585

On motion of Senator Nelson and by unanimous consent, Senator Brown will be shown as Co-author of **SB 585**.

CO-AUTHORS OF SENATE BILL 606

On motion of Senator Lucio and by unanimous consent, Senators Moncrief, Truan, and Zaffirini will be shown as Co-authors of **SB 606**.

CO-AUTHOR OF SENATE BILL 674

On motion of Senator Brown and by unanimous consent, Senator Nelson will be shown as Co-author of **SB 674**.

CO-AUTHORS OF SENATE BILL 827

On motion of Senator Ellis and by unanimous consent, Senators Carona and Madla will be shown as Co-authors of **SB 827**.

CO-AUTHOR OF SENATE BILL 828

On motion of Senator Ellis and by unanimous consent, Senator Gallegos will be shown as Co-author of **SB 828**.

CO-AUTHOR OF SENATE BILL 872

On motion of Senator Madla and by unanimous consent, Senator Wentworth will be shown as Co-author of **SB 872**.

CO-AUTHOR OF SENATE BILL 907

On motion of Senator Brown and by unanimous consent, Senator Barrientos will be shown as Co-author of **SB 907**.

CO-AUTHOR OF SENATE BILL 910

On motion of Senator Zaffirini and by unanimous consent, Senator Ellis will be shown as Co-author of **SB 910**.

CO-AUTHORS OF SENATE BILL 944

On motion of Senator Whitmire and by unanimous consent, Senators Brown, Ellis, Gallegos, Lindsay, and Patterson will be shown as Co-authors of **SB 944**.

SENATE BILLS ON FIRST READING

The following bills were introduced, read first time, and referred to the committees indicated:

SB 34 by Zaffirini, Armbrister, Barrientos, Bivins, Brown, Cain, Carona, Duncan, Ellis, Fraser, Gallegos, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Moncrief, Nelson, Nixon, Patterson, Ratliff, Shapiro, Shapleigh, Sibley, Truan, Wentworth, West, Whitmire
Relating to the parent-child relationship, suits affecting the parent-child relationship, and the protection of children.
To Committee on Jurisprudence.

SB 847 by Armbrister
Relating to a limitation of liability of a licensed installer or servicer of a liquefied petroleum gas system in a motor vehicle.
To Committee on State Affairs.

SB 891 by Lucio
Relating to common nuisances and the investigation and abatement of those nuisances by the attorney general; making an appropriation.
To Committee on Jurisprudence.

SB 901 by Gallegos
Relating to an entity's eligibility for foreign trade zone or subzone status.
To Committee on Intergovernmental Relations.

SB 904 by Gallegos
Relating to the investigation of fire fighters and police officers in certain municipalities.
To Committee on Intergovernmental Relations.

SB 905 by Gallegos
Relating to circumstances under which certain firefighters and police officers may be required to take a polygraph examination.
To Committee on Intergovernmental Relations.

SB 914 by Barrientos

Relating to requiring that certain videos be captioned for viewing by persons who are deaf or hard of hearing; providing a penalty.

To Committee on Health and Human Services.

SB 918 by Patterson

Relating to funding the costs of apprehending certain inmates for whom warrants are issued by the Board of Pardons and Paroles or the pardons and paroles division of the Texas Department of Criminal Justice.

To Committee on Finance.

SB 924 by Nixon

Relating to the operation of a motor home dealership by a motor home manufacturer.

To Committee on State Affairs.

SB 928 by Gallegos

Relating to employment as a fire fighter in certain municipalities.

To Committee on Intergovernmental Relations.

SB 932 by Sibley

Relating to abolishing the Texas Department of Commerce and transferring its powers and duties to the newly created Texas Department of Economic Development and Tourism and to certain other economic development programs in the state.

To Committee on Economic Development.

SB 933 by Sibley

Relating to prepaid funeral benefits.

To Committee on State Affairs.

SB 937 by Harris, Ellis, Wentworth

Relating to the creation of the Texas Advisory Commission on Intergovernmental Relations.

To Committee on Intergovernmental Relations.

SB 939 by Ellis, Zaffirini, Moncrief

Relating to control of tuberculosis in certain jail populations.

To Committee on Health and Human Services.

SB 945 by Patterson

Relating to certain fees charged by vehicle storage facilities.

To Committee on State Affairs.

SB 946 by Patterson

Relating to a requirement that certain persons obtain a vehicle storage facility license.

To Committee on State Affairs.

SB 947 by Patterson, Ellis

Relating to the appointment of a parent of a child as sole or joint managing conservator of the child.

To Committee on Jurisprudence.

SB 949 by Patterson

Relating to immunity from liability for the directors, officers, agents, and employees of the Texas Catastrophe Property Insurance Association.
To Committee on Economic Development.

SB 951 by Ellis, Harris, Madla, Truan, Zaffirini, Luna, Moncrief, Lucio

Relating to the coordination of tenant services programs.
To Committee on Intergovernmental Relations.

SB 952 by Moncrief

Relating to anatomical gifts and donor cards.
To Committee on Health and Human Services.

SB 953 by Fraser

Relating to the attorney-client communication privilege.
To Committee on Jurisprudence.

SB 954 by Lindsay

Relating to the number of members on the board of certain metropolitan transit authorities.
To Committee on Intergovernmental Relations.

SB 955 by Lindsay

Relating to the requirements for municipal annexation.
To Committee on Intergovernmental Relations.

SB 956 by Lindsay

Relating to the provision of certain services in newly annexed areas.
To Committee on Intergovernmental Relations.

SB 957 by Lindsay

Relating to billing disclosure requirements for providers of home and community support services.
To Committee on Health and Human Services.

SB 958 by Whitmire

Relating to the provision of services to areas annexed by certain municipalities.
To Committee on Intergovernmental Relations.

SB 959 by Sibley

Relating to the regulation of trust companies; providing administrative and criminal penalties.
To Committee on Economic Development.

SB 960 by Armbrister

Relating to the regulation of sanitary landfills.
To Committee on Natural Resources.

SB 961 by Ratliff, Zaffirini

Relating to state formula funding to an institution of higher education and tuition costs for certain resident doctoral students.
To Committee on Finance.

SB 962 by Patterson

Relating to the registration of mortgage brokers.
To Committee on Economic Development.

SB 963 by Shapiro

Relating to the testing of natural gas piping systems in school district facilities.

To Committee on Education.

SB 964 by Ratliff

Relating to criminal history record information on persons licensed by certain agencies.

To Committee on Finance.

SB 965 by Armbrister

Relating to the powers and duties of the Public Utility Commission of Texas.

To Committee on State Affairs.

SB 966 by Nelson

Relating to the creation of two county criminal courts in Denton County.

To Committee on Jurisprudence.

SB 967 by Nelson

Relating to statutory county courts and statutory probate courts in Denton County.

To Committee on Jurisprudence.

SB 968 by Lucio

Pertaining to the execution of documents on behalf of certain water districts.

To Committee on Natural Resources.

SB 969 by Wentworth

Relating to the resale of property sold to a taxing unit pursuant to foreclosure of an ad valorem tax lien.

To Committee on Intergovernmental Relations.

SB 970 by Wentworth

Relating to certain district courts in Bexar County.

To Committee on Jurisprudence.

SB 971 by Wentworth

Relating to the murder of a peace officer as a capital offense.

To Committee on Criminal Justice.

SB 972 by Harris, Moncrief

Relating to mental health treatment decisions made on behalf of an incapacitated individual and authorizing a declaration for mental health treatment.

To Committee on Health and Human Services.

SB 973 by Barrientos

Relating to the State Cemetery and the creation of the State Cemetery Committee.

To Committee on Administration.

SB 974 by Carona, Shapiro

Relating to the recovery of environmental inspection, removal, and

remediation costs by a taxing unit that purchases real property at an ad valorem tax sale.

To Committee on Intergovernmental Relations.

SB 975 by Madla

Relating to the disclosure of health care information by certain health care providers.

To Committee on Health and Human Services.

SB 976 by Madla

Relating to managed care plans issued by managed care organizations under Medicare risk-sharing contracts; imposing administrative penalties.

To Committee on Economic Development.

SB 977 by Madla

Relating to the maximum extended length of certain loads carried on trailers.

To Committee on State Affairs.

SB 978 by Shapiro

Relating to the invocation of the rule in a criminal trial.

To Committee on Criminal Justice.

SB 979 by Patterson

Relating to resale of certain electric power.

To Committee on State Affairs.

SB 980 by Patterson

Relating to ensuring reliable electric service; providing an administrative penalty.

To Committee on State Affairs.

SB 981 by Gallegos

Relating to liability insurance for motor vehicles operated by law enforcement officers of a political subdivision.

To Committee on Intergovernmental Relations.

SB 982 by Gallegos

Relating to fire fighters employed by certain port authorities.

To Committee on Intergovernmental Relations.

SB 983 by Gallegos

Relating to a legislative leave time bank for fire fighters and police officers in certain municipalities.

To Committee on Intergovernmental Relations.

SB 984 by Gallegos

Relating to the preservation, operation, and maintenance of historical resources and the powers and duties of the Texas Historical Commission.

To Committee on Administration.

SB 985 by Gallegos

Relating to the administration of state-owned historical parks, structures, and sites by the Texas Historical Commission; making a contingent appropriation; providing penalties.

To Committee on State Affairs.

SB 986 by Ellis

Relating to the streamlining of the organizational structures of state agencies.
To Committee on State Affairs.

SB 987 by Moncrief, Armbrister, Barrientos, Bivins, Cain, Ellis, Gallegos, Harris, Haywood, Lindsay, Lucio, Luna, Madla, Shapleigh, Sibley, Truan, West, Whitmire, Zaffirini, Shapiro

Relating to the use of excess money in certain funds for the compensation of crime victims.

To Committee on Finance.

SB 988 by Brown

Relating to records and reports required from certain producers and purchasers of oil.

To Committee on Natural Resources.

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate:

HCR 100, HCR 105, HCR 107, HCR 114

MESSAGES FROM THE GOVERNOR

The following Messages from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas
March 10, 1997

TO THE SENATE OF THE SEVENTY-FIFTH LEGISLATURE,
REGULAR SESSION:

On February 10, 1997, I submitted the name of Jerry Romero of El Paso for appointment to the Texas Department of Housing and Community Affairs Board for a term to expire January 31, 2003.

I hereby withdraw Mr. Romero's nomination for this board and request that the Senate return this appointment to me.

Respectfully submitted,
/s/George W. Bush
Governor of Texas

TO THE SENATE OF THE SEVENTY-FIFTH LEGISLATURE,
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

TO BE ADJUTANT GENERAL OF TEXAS for a term to expire February 1, 1999:

BRIGADIER GENERAL DANIEL JAMES III
Texas National Guard
P.O. Box 5218
Austin, Texas 78763-5218
General James is being reappointed.

Respectfully submitted,
/s/George W. Bush
Governor of Texas

CAPITOL PHYSICIAN

Senator Ratliff was recognized and presented Dr. James T. Nash of Longview as the "Doctor for the Day."

The Senate welcomed Dr. Nash and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

GUESTS PRESENTED

Senator Lindsay was recognized and introduced to the Senate a delegation from the "Spirit of 1960 Coalition."

The Senate welcomed its guests.

SENATE BILL 619 REREFERRED

On motion of Senator Harris and by unanimous consent, **SB 619** was withdrawn from the Committee on Intergovernmental Relations and was rereferred to the Committee on Jurisprudence.

NOMINATION RETURNED

On motion of Senator Madla and by unanimous consent, the Senate agreed to grant the request of the Governor to return the following nomination:

To be a Member of the TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS BOARD: Jerry Romero, El Paso County.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER
Austin, Texas
Friday, March 7, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 103, Congratulating Betty Jane Burlin on being named 1997 Citizen of the Year by the Grimes County Chamber of Commerce.

HCR 128, Declaring March 10, 1997, Tarrant County Day.

SCR 31, Congratulating Warren Guthrie on his retirement.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

**COMMITTEE SUBSTITUTE
SENATE BILL 132 ON SECOND READING**

Senator Bivins moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **CSSB 132** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended for **CSSB 132**:

CSSB 132, Relating to placement of a public school student in an alternative education program.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 132 ON THIRD READING**

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 132** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 132 was read third time and was passed by a viva voce vote.

(Senator Barrientos in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 136 ON SECOND READING**

Senator Bivins moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **CSSB 136** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended for **CSSB 136**:

CSSB 136, Relating to placement of students expelled from public schools in juvenile justice alternative education programs.

(President in Chair)

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 136 ON THIRD READING**

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that CSSB 136 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 136 was read third time and was passed by the following vote: Yeas 31, Nays 0.

**COMMITTEE SUBSTITUTE
SENATE BILL 139 ON SECOND READING**

Senator Bivins moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that CSSB 139 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Bivins and by unanimous consent, the regular order of business was suspended for CSSB 139:

CSSB 139, Relating to curriculum requirements for alternative education programs and juvenile justice alternative education programs.

The bill was read second time.

Senator West offered the following amendment to the bill:

Floor Amendment No. 1

Amend CSSB 139 as follows:

(1) In the heading of SECTION 1 strike "Subsection (l)" and insert "Subsections (l) and (m)" (committee printing page 1, line 14).

(2) In SECTION 1 (committee printing page 1, line 19) add Subsection (m) to Section 37.008, Education Code, as follows:

"(m) The commissioner shall adopt rules necessary to administer the provisions of Chapter 39 for alternative education programs. Academically, the mission of alternative education programs shall be to enable students to perform at grade level. Each alternative education program shall be treated as a campus subject to applicable provisions of Subchapters C, D, E, and G, Chapter 39, as determined by the commissioner. Annually, the commissioner shall define exemplary, recognized, and unacceptable performance for alternative education programs, based principally on comparable and required improvement standards that measure academic progress of students toward grade level while attending an alternative education program."

The amendment was read and was adopted by a viva voce vote.

Senator West offered the following amendment to the bill:

Floor Amendment No. 2

Amend CSSB 139 as follows:

(1) Strike the section heading of SECTION 3 (committee printing page 1, lines 37 and 38) and substitute the following:

"Section 37.011, Education Code, is amended by amending Subsection (d) and adding Subsection (e) to read as follows:"

(2) In SECTION 3 (committee printing page 1, line 53) add Subsection (e) to Section 37.011, Education Code, as follows:

"(e) The commissioner, subject to the approval of the Texas Juvenile Probation Commission, shall adopt rules necessary to administer the provisions of Chapter 39 for juvenile justice alternative education programs. Academically, the mission of juvenile justice alternative education programs shall be to enable students to perform at grade level. Each juvenile justice alternative education program shall be treated as a campus subject to applicable provisions of Subchapters C, D, F, and G, Chapter 39 as determined by the commissioner. Annually, the commissioner shall define exemplary, recognized, and unacceptable performance for juvenile justice alternative education programs, based principally on comparable and required improvement standards that measure academic progress of students toward grade level while attending a juvenile justice alternative education program."

The amendment was read and was adopted by a viva voce vote.

(Senator Truan in Chair)

CSSB 139 as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 139 ON THIRD READING**

Senator Bivins moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that CSSB 139 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 139 was read third time and was passed by the following vote: Yeas 31, Nays 0.

(President in Chair)

(Senator Brown in Chair)

**COMMITTEE SUBSTITUTE
SENATE BILL 162 ON SECOND READING**

Senator Barrientos moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that CSSB 162 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Barrientos and by unanimous consent, the regular order of business was suspended for CSSB 162:

CSSB 162, Relating to prevention and treatment of diabetes.

The bill was read second time.

Senator Barrientos offered the following amendment to the bill:

Floor Amendment No. 1

(1) Amend **CSSB 162**, SECTION 2.01, by amending Sec. 2(b)(1) to add the following Subsections thereto:

(E) dental or vision care only; or

(F) hospital confinement indemnity coverage only;

(2) Amend **CSSB 162**, SECTION 2.01, by deleting the word "department" on page 2, line 2-38, and substituting therefor the word "commissioner."

(3) Amend **CSSB 162**, SECTION 2.01, by deleting the word "care" on page 2, line 2-40, and inserting therefor the word "benefits."

(4) Amend **CSSB 162**, SECTION 2.02, by deleting the words "Texas Department" on page 2, line 2-48, and inserting therefor the word "Commissioner."

(5) Amend **CSSB 162**, SECTION 2.02, by deleting the phrase "standards of care" on page 2, line 2-50, and inserting therefor the word "benefits."

The amendment was read and was adopted by a viva voce vote.

CSSB 162 as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 162 ON THIRD READING**

Senator Barrientos moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 162** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 162 was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 422 ON SECOND READING**

Senator Cain moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **CSSB 422** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Cain and by unanimous consent, the regular order of business was suspended for **CSSB 422**:

CSSB 422, Relating to the licensure of a hospital with multiple premises under a single license and the provision of certain services by licensed hospitals.

The bill was read second time.

Senator Cain offered the following amendment to the bill:

Floor Amendment No. 1

Amend Section 1 of CSSB 422 by amending Section 241.003(13)(B)(ii) to read as follows:

(13)(B)(ii) all inpatient buildings are ~~[no more than]~~ within a thirty [minutes travel time apart] mile radius of the main address of the licensee;

The amendment was read and was adopted by a viva voce vote.

CSSB 422 as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 422 ON THIRD READING**

Senator Cain moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that CSSB 422 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 422 was read third time and was passed by a viva voce vote.

GUEST PRESENTED

Senator Ogden was recognized and introduced to the Senate Grimes County 1997 Citizen of the Year Betty Jane Burlin.

The Senate welcomed Mrs. Burlin.

**COMMITTEE SUBSTITUTE
SENATE BILL 584 ON SECOND READING**

Senator Ogden moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that CSSB 584 be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Ogden and by unanimous consent, the regular order of business was suspended for CSSB 584:

CSSB 584, Relating to spending by state agencies for certain employee benefits and membership dues.

(President in Chair)

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 584 ON THIRD READING**

Senator Ogden moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that CSSB 584 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

CSSB 584 was read third time and was passed by a viva voce vote.

SENATE BILL 674 ON SECOND READING

Senator Brown moved that Section 5 of Article III of the State Constitution and Senate Rule 7.13 be suspended and that **SB 674** be taken up for consideration at this time.

The motion prevailed by the following vote: Yeas 31, Nays 0.

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended for **SB 674**:

SB 674, Relating to the prosecution of the offense of possession or promotion of child pornography.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 674 ON THIRD READING

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **SB 674** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

SB 674 was read third time and was passed by a viva voce vote.

CONGRATULATORY RESOLUTIONS

SR 144 - by Cain: Congratulating Bonnie and Tommy Johnston.

SR 296 - by Haywood: Congratulating Jason Kyle Shackelford of Haskell.

SR 297 - by Fraser: Congratulating Dr. Tom Cody Graves of Goldthwaite.

SR 298 - by Fraser: Congratulating Bonna Belle Porter of Albany.

SR 299 - by Fraser: Congratulating Daphne Mulkey of Temple.

SR 300 - by Fraser: Congratulating Richard Douglas Kaye of Harker Heights.

SR 301 - by Zaffirini: Congratulating KVOU-AM radio of Uvalde.

SR 302 - by Bivins: Congratulating Michael Salvato of Highland Park.

SR 304 - by Bivins: Congratulating Dr. Kenneth B. Porter of Amarillo.

SR 308 - by Ellis: Congratulating Brian Angelo Dupre of Houston.

HCR 103 - (Ogden): Congratulating Betty Jane Burlin of Grimes County.

MISCELLANEOUS RESOLUTIONS

SR 295 - by Haywood: Recognizing April, 1997, as Sexual Assault Awareness Month.

SR 305 - by Sibley: Proclaiming March 20, 1997, Absolutely Incredible Kid Day.

HCR 128 - (Moncrief): Declaring March 10, 1997, Tarrant County Day.

ADJOURNMENT

On motion of Senator Truan, the Senate at 12:31 p.m. adjourned until 11:00 a.m. tomorrow.

APPENDIX

COMMITTEE REPORTS

The following committee reports were received by the Senate:

March 10, 1997

HEALTH AND HUMAN SERVICES — **CSSB 172**

EDUCATION — **SB 537** (Amended)

STATE AFFAIRS — **SB 82, SB 308, SB 394** (Amended), **CSSB 446, SB 487, SB 536** (Amended), **SB 626, SB 672**

EDUCATION — **CSSB 69, CSSB 616, CSSB 729**

INTERGOVERNMENTAL RELATIONS — **CSSB 182**

FINANCE — **CSSB 701**

STATE AFFAIRS — **CSSB 255**

ECONOMIC DEVELOPMENT — **CSSB 220**

SENT TO GOVERNOR

March 10, 1997

SCR 18